
TITLE 329 SOLID WASTE MANAGEMENT BOARD

Proposed Rule
LSA Document #09-206**DIGEST**

Adds [329 IAC 3.1-6-9](#) to conditionally exclude from regulation under [329 IAC 3.1](#) (delist) wastewater treatment sludge from electroplating operations, hazardous waste code F006, that was generated by Rumpke of Indiana, LLC and placed in a corrective action management unit (CAMU) constructed adjacent to Medora Sanitary Landfill, Medora, Indiana. *NOTE: LSA Document #09-206, posted at [20090805-IR-329090206PRA](#), was resubmitted for publication.* Effective 30 days after filing with the Publisher.

HISTORY

Findings and Determination of the Commissioner Pursuant to [IC 13-14-9-7](#) and Second Notice of Comment Period: April 8, 2009, Indiana Register (DIN: [20090408-IR-329090206FDA](#)).

Notice of First Hearing: April 8, 2009, Indiana Register (DIN: [20090408-IR-329090206PHA](#)).

Change in Notice of First Hearing: April 22, 2009, Indiana Register (DIN: [20090422-IR-329090206CHA](#)).

Date of First Public Hearing: July 21, 2009.

PUBLIC COMMENTS UNDER [IC 13-14-9-4.5](#)

[IC 13-14-9-4.5](#) states that a board may not adopt a proposed rule under [IC 13-14-9](#) that is substantively different from the draft rule published under [IC 13-14-9-7](#) until the board has conducted a third comment period that is at least 21 days long. Because this proposed rule is not substantively different from the draft rule published on April 8, 2009 (DIN: [20090408-IR-329090206FDA](#)), the Indiana Department of Environmental Management (IDEM) is not requesting additional comment on this rule.

SUMMARY/RESPONSE TO COMMENTS FROM THE SECOND COMMENT PERIOD

IDEM requested public comment from April 8, 2009, through May 8, 2009, on IDEM's draft rule language. No comments were received during the comment period.

SUMMARY/RESPONSE TO COMMENTS FROM THE FIRST PUBLIC HEARING

On July 21, 2009 the Solid Waste Management Board (board) conducted the first public hearing/board meeting concerning the development of new rules at [329 IAC 3.1-6-9](#). IDEM received comments from the following parties:

Mr. Ernie Smith, Cummins Engine Company

Comment: Was the chromium concentration within the treatment sludge naturally attenuated over time or is there a formal processing procedure in place?

Response: The metals would probably not be attenuated, but the waste is in a corrective action management unit (CAMU) which is a hazardous waste cell built to the hazardous waste landfill standards. Therefore, it is self-contained within the CAMU, and not a threat to the surrounding area.

[329 IAC 3.1-6-9](#)

SECTION 1. [329 IAC 3.1-6-9](#) IS ADDED TO READ AS FOLLOWS:

[329 IAC 3.1-6-9](#) Waste excluded from regulation; Rumpke of Indiana, LLC, Medora Sanitary Landfill, Medora, Indiana

Authority: [IC 13-14-8](#); [IC 13-14-9-7](#); [IC 13-22-2](#)

Affected: [IC 13-22](#)

Sec. 9. Wastewater treatment sludge, hazardous waste code F006, disposed of in a corrective action management unit (CAMU) adjacent to the Medora Sanitary Landfill, Medora, Indiana and managed by Rumpke of Indiana, LLC (Rumpke), is excluded from regulation under this article.

(Solid Waste Management Board; [329 IAC 3.1-6-9](#))

[Notice of Public Hearing](#)

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